

**REMARKS**

Reconsideration of the present application is respectfully requested in view of the following remarks. Prior to entry of this response, Claims 20-41 were pending in the application, of which Claims 20, 31, 38, 39, 40, and 41 are independent. In the Office Action dated August 24, 2004, Claims 27-29 were rejected under 35 U.S.C. § 112, Claims 20-25, 28-29, and 31-39 were rejected under 35 U.S.C. § 102(b), and Claims 26-27, 30, and 40-41 were rejected under 35 U.S.C. § 103(a). Furthermore, the drawings and specification were objected to. Following this response, Claims 20-41 remain pending in this application. Applicant hereby addresses the Examiner's objections and rejections in turn.

I. Objection to the Specification

In the Office Action dated August 24, 2004, the Examiner objected to the specification as having improper form. Applicant respectfully submits that the amended specification overcomes the objection detailed in section 7 of the Office Action. Further, Applicant has amended the specification to correct three other typographical errors not noted in the Examiner's objection. Applicant respectfully submits that the amendments to the specification add no new matter.

As discussed with the Examiner by telephone on February 7, 2005, the specification does not contain the phrases to which the Examiner objected in section 6 of the Office Action. Thus, no amendment is necessary in response to that objection.

II. Objection to the Drawings

**AMENDMENTS TO THE DRAWINGS:**

Subject to the Examiner's approval, please substitute FIGs. 1 and 4-5 with the attached substitute FIGs. 1 and 4-5.

In the Office Action, the Examiner objected to FIGs. 1 and 4-5 as containing improper cross-hatching. Subject to the approval of the Examiner, it is proposed to substitute FIGs. 1 and 4-5 with the attached substitute FIGs. 1 and 4-5. Applicant respectfully submits that substitute FIGs. 1 and 4-5 overcome this objection and add no new matter. Furthermore, in the Office Action, the Examiner objected to the drawings stating that FIG. 6 should be designated --Prior Art-- because only that which is old is illustrated. Applicant respectfully traverses this objection because FIG. 6 is already designated as --Prior Art--.

III. Rejection of the Claims Under 35 U.S.C. § 112, Second Paragraph

In the Office Action, the Examiner rejected Claims 27-29 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regard as the invention. Claims 27-29 have been amended, and Applicant respectfully submits that the amendment overcomes this rejection and adds no new matter.

IV. Rejection of the Claims Under 35 U.S.C. § 102(b)

In the Office Action, the Examiner rejected Claims 20-25, 28-29, and 31-39 under 35 U.S.C. § 102(b) as being anticipated by European Patent No. 0341933 ("Akiba"). Claims 20 and 38 have been amended, and Applicant respectfully submits that the amendment overcomes the rejection of Claims 20 and 38 and adds no new matter.

Amended Claim 20 is patentably distinguishable over the cited art in that it recites, for example, "said conductor is formed by a plurality of metal wires with air

cavities between the plurality of metal wires, the air cavities configured to allow the cross-sectional shape of the conductor to change when a radial pressure is applied to the insulation.” Amended Claim 38 includes a similar recitation.

In contrast, *Akiba* at least does not disclose air cavities between a plurality of metal wires configured to allow a cross-sectional shape of a conductor to change when a radial pressure is applied to an insulation. For example, *Akiba* merely discloses a core conductor 1 made up of twisted strands of wire. (See col. 2, lines 9-10.) In *Akiba*, air cavities are not disclosed, much less air cavities sufficient to allow the cross-sectional shape of the conductor to change when a radial pressure is applied to the insulation.

Further, amended Claim 20 differs from the cited prior art because it is directed to a cable having a screen provided with at least one water sensing wire. Applicant respectfully points out that *Akiba* does not “disclose a cable (Figs 1-2) that may have a screen (2) with a water sensing wire (Fig 1) . . .”, as the Examiner states at § 14 of the Office Action. Rather, Figures 1 and 2 of *Akiba*, as well as the entire specification, teach *only* varying embodiments of a water sensing wire, not a cable having a screen provided with at least one water sensing wire.

Claim 31 is patentably distinguishable over the cited art in that it recites, for example, “said conductor comprising a variable deformation cross section during application of radial stress.” Claim 39 includes a recitation similar to that of Claim 31: “the conductor comprising a variable deformable cross section during application of radial stress.” *Akiba* at least does not disclose a variable deformation cross section during application of radial stress. As stated above, *Akiba* merely discloses a core

conductor 1 made up of twisted strands of wire. In *Akiba*, a cross section in the conductor is not disclosed at all, much less a cross-section capable of deformation during application of radial stress.

Further, like amended Claim 20, amended Claim 31 is directed to a cable having a screen provided with at least one water sensing wire. *Akiba* does not teach a cable having a screen provided with at least one water sensing wire. To the contrary, Figures 1 and 2 of *Akiba*, cited by the Examiner, merely disclose varying embodiments of a water sensing wire, and *Akiba* therefore does not anticipate Claims 20 or 31. While Claims 20 and 31 are amended to more clearly state that they are directed to a cable having a screen, said screen comprising a water sensing wire, Applicant respectfully submits that these amendments do not change the scope of the claims as previously presented.

Accordingly, independent Claims 20, 31, and 38-39 each patentably distinguish the present invention over the cited art, and Applicant respectfully requests withdrawal of this rejection of Claims 20, 31, and 38-39.

Dependent Claims 21-30 and 32-37 are also allowable at least for the reasons above regarding independent Claims 20 and 31, and by virtue of their respective dependencies upon independent Claims 20 and 31. Applicant also respectfully asserts that the Examiner's position that dependent Claim 23 is anticipated by *Akiba* is incorrect. Claim 23 requires that "one or more polymer filaments are contained as reinforcement *inside* said water permeable insulation." As support for the anticipation rejection, the Examiner said points to column 2, lines 22-26 of *Akiba*, which teach that the outer protective covering 4 may include braided polyester fabric. The Examiner

further notes that *Akiba* teaches a liquid absorbing, electrically insulating material 3. However, the outer protective covering 4 of *Akiba* that may comprise polyester fabric is radially *external* with respect to the electrically insulating material 3. Therefore, the cited reference does not teach one or more polymer filaments contained *inside* water permeable insulation. Accordingly, Applicant respectfully requests withdrawal of this rejection of dependent Claim 23, as well as for the reasons discussed above in regard to Claim 20.

V. Rejection of the Claims Under 35 U.S.C. § 103(a)

In the Office Action, the Examiner rejected Claims 26-27, 30, and 40-41 under 35 U.S.C. § 103(a) as being unpatentable over *Akiba* in view of alleged Applicant's Own Admission of Prior Art ("AOAPA"). Applicant respectfully traverses this rejection.

Claims 26-27 and 30 depend from Claim 20, which has been amended to specify that the "conductor is formed by a plurality of metal wires with air cavities between the plurality of metal wires, the air cavities configured to allow the cross-sectional shape of the conductor to change when a radial pressure is applied to the insulation." Because neither AOAPA nor *Akiba* teach a conductor having air cavities between a plurality of metal wires, the combination does not render obvious Claims 26-27 or 30.

Claim 40 is patentably distinguishable over the cited art in that it recites, for example, "one or more reinforcement filaments are provided inside said water permeable insulation." Claim 41 includes a similar recitation. Claim 40 was also amended to clarify that the claim is directed to a "cable having a screen, said screen

comprising a water sensing wire . . .” Applicant respectfully submits that this amendment does not change the scope of the claim as previously presented.

In contrast, *Akiba* at least does not teach or suggest one or more reinforcement filaments provided inside a water permeable insulation. For example, *Akiba* discloses a water absorbing material 3, which the Examiner analogizes to the claimed water permeable insulation. (See Office Action, page 7 paragraph 16; see also *Akiba* col. 2, lines 11-12.) Furthermore, *Akiba* discloses an outer protective covering 4, such as braided polyester fabric, which the Examiner analogizes to the claimed one or more reinforcement filaments. (See col. 2, lines 23-24.) According to the Examiner, water absorbing material 3 and protective covering 4 combine to anticipate the claimed one or more reinforcement filaments provided inside the water permeable insulation. In *Akiba*, however, protective covering 4 is outside water absorbing material 3 and, in contrast to the Examiner’s position, is not provided inside water absorbing material 3. Accordingly, water absorbing material 3 and protective covering 4, as disclosed in *Akiba*, cannot be combined to anticipate the claimed one or more reinforcement filaments provided inside the water permeable insulation.

Furthermore, *AOAPA* does not overcome *Akiba*’s deficiencies. Like *Akiba*, *AOAPA* at least does not teach or suggest the claimed one or more reinforcement filaments provided inside the water permeable insulation.

In sum, *Akiba* and *AOAPA*, either individually or in combination, at least do not disclose or suggest “one or more reinforcement filaments are provided inside said water permeable insulation”, as recited by Claim 40. Claim 41 includes a similar recitation. Accordingly, independent Claims 40 and 41 each patentably distinguish the present

invention over the cited art, and Applicant respectfully requests withdrawal of this rejection of Claims 40 and 41.

**VI. Conclusion**

In view of the foregoing remarks, Applicant respectfully requests the reconsideration and reexamination of this application and the timely allowance of the pending claims. The preceding arguments are based only on the arguments in the Office Action, and therefore do not address patentable aspects of the invention that were not addressed by the Examiner in the Office Action. The claims may include other elements that are not shown, taught, or suggested by the cited art. Accordingly, the preceding argument in favor of patentability is advanced without prejudice to other bases of patentability.

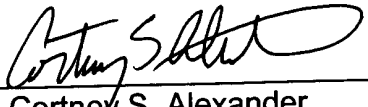


Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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